STATE OF TENNESSEE

LAWRENCE COUNTY

CIRCUIT COURT AT LAWRENCEBURG, TN

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COLLENS	CIRCUIT COURT
Plantiff VERSUS	SUMMONS
A Company of the Comp	OCIVITATO
Defendant	
	cton Syarus But Cay st 2021 thickey we entitled civil action
You are hereby summoned, and required to serve upon ALCOLO	Parcs
an answer to the COLLIN COLLIN	and the second of the second o
which is herewith served upon you within thirty(30) days after service of this summons defense with the Clerk of the Court and send a copy to the Plaintiff's attorney	upon you, exclusive of the day of service. You are further directed to file your
In case of your failure to defend this action by above date, judgment by default can be	rendered against you for the relief demanded in the complaint
Attested to on date issued LEON CLANTON, Circuit Court Classued 2006 By	Clerk D.C.
NOTIC	E
TO THE DEFENDANT (S):	
Tennessee law provides a four thousand dollar (\$4,000.00 seizure to satisfy a judgment. If a judgment should be enterproperty as exempt, you must file a written list, under oath clerk of the court. The list may be filed at any time and however, unless it is filed before the judgment becomes the garnishment issued prior to the filing of the list. Certain item to be listed; these include items of necessary wearing appoor of other receptacles necessary to contain such apparel. Should any of these items be seized you would have the right of how to exercise it, you may wish to seek the seized selection of the selection of the seek the selection of t	ered against you in this action and you wish to claim a, of the Items you wish to claim as exempt with the may be changed by you thereafter as necessary; final, it will not be effective as to any execution or as are automatically exempt by law and do not need are! (clothing) for yourself and your family and trunks family portraits, the family Bible, and school books ght to recover them. If you do not understand your
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I served this summons together with a copy of the complaint herei	EXHIBIT Solvenive EXHIBIT Corp EXHIBIT EXHIBIT EXHIBIT EXHIBIT EXHIBIT EXHIBIT

STATE OF TENNESSEE

LAWRENCE COUNTY CIRCUIT COURT AT LAWRENCEBURG, TN

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	Plantiff	CIRCUIT COURT
VERSUS	rianin	SUMMONS
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TO THE DEFENDANT (S)	NOT	ICE
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STATE OF TENNESSEE

LAWRENCE COUNTY

CIRCUIT COURT AT LAWRENCEBURG IN

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VERSUS	PIGNIIT	SUMMONS			
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	Defendant				
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You are hereby summoned, and required to serve upon					
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Attested to on date issued LEON CLANT	ON, Circuit Court	Clerk			
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TO THE DEFENDANT (5):	NOTI	CE			
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to be listed; these include Items of necessary wearing apparel (clothing) for yourself and your familly and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer

RETURN OF SERVICE OF SUMMONS

I hereby certify and return, that on the	day of July 20 P	4.3
I served this summons together with a copy of the complaint herein	in as follows PSS \$ 145, INC.	ø
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IN THE CIRCUIT COURT FOR LAWRENCE COUNTY, TENNESSEE

ESTELEANE LEWIS and)				
CECIL LEWIS)				
Plaintiffs))	(C·10)		2006	7
v.)	Case No. 194	安的	仁	FILED
PEEBLES, INC. STAGE STORES, INC. SPECIALTY RETAILERS (TX) LP)))		CULL CLEIC	12 PM 1	FOR RE
Defendant)		38464	12 35	CORD
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Comes now the Plaintiffs, Esteleane Lewis and Cecil Lewis, and for their cause of action against the Defendant, respectfully show the following:

- Plaintiff, Esteleane Lewis, is a citizen of Lawrence County, Tennessee

 Plaintiff Cecil Lewis is a citizen of Lawrence County, Tennessee, and is the husband of

 Plaintiff Esteleane Lewis
- Defendant, Peebles is a Tennessee corporation having its principal place of business at 10201 Main Street, Houston, Texas 77025. Its registered agent is CT Corporation Systems, with a registered office at 800 Gay Street, Suite 2021, Knoxville, Tennessee, 37929 and is a subsidiary of Stage Stores, Inc.
- Defendant, Stage Stores, Inc. is a Tennessee corporation having its principal place of business at 10201 Main Street, Houston, Texas 77025. Its registered agent is CT Corporation Systems, with a registered office at 800 Gay Street, Suite 2021, Knoxville, Tennessee, 37929 and is a subsidiary of Specialty Retailers (TX) LP.

- Defendant, Specialty Retailers (TX) LP is a limited partnership having its principal place of business at 10201 Main Street, Houston, Texas 77025. Its registered agent is CT Corporation Systems, with a registered office at 800 Gay Street, Suite 2021, Knoxville, Tennessee, 37929.
- 5 The Defendant maintains a retail Peebles store on Highway 43 North in Lawrenceburg, Lawrence County, Tennessee, which encourages patronage from the public
- 6. On or about July 12, 2006, Plaintiff, Esteleane Lewis entered into the Lawrenceburg Peebles store to purchase merchandise.
 - 7. The store was open to the public at the time of the accident.
 - 8 Plaintiff was shopping for clothes inside the store
 - 9. The store was undergoing renovations of which the Plaintiff was not aware.
 - 10 Plaintiff was not aware of any warnings to the public.
- While plaintiff was "browsing" through clothing on a rack, she noticed a lady's suit on the rack, while attempting to locate the price tag, plaintiff realized the price tags were on the opposite side of the rack to where she was located.
- When Plaintiff attempted to access the opposite side of the clothes rack, plaintiff tripped over plastic located on an uneven floor where renovations were being performed.
 - 13. Plaintiff fell to a concrete floor, sustaining serious injuries to her person.
- 14. It is the duty of the Defendant to use ordinary care and diligence to keep and maintain all customer areas in a reasonably safe condition for patrons, such as Plaintiff.

- 15. It is the duty of the Defendant to warn patrons, such as the Plaintiff, of all hidden defects or dangers that are known to the Defendant.
- Defendant breached its duty to Plaintiff by failing to maintain the shopping area in a reasonably safe condition, and this failure constitutes negligence on the part of the Defendant
- The the dangerous condition was in an area frequented by employees of the Defendant, and thus the Defendant had constructive or actual notice of the existing condition, but failed to reasonably cure it. This act or omission constitutes a breach of duty by Defendant and constitutes negligence on the part of the Defendant.
- The Defendant failed to warn Plaintiff of the dangerous condition existing in the shopping area. This failure to warn constitutes negligence and a breach of Defendant's duty to Plaintiff.
- In the alternative, if Defendant claims no notice or knowledge of the condition, then Plaintiff avers that Defendant was negligent in failing to properly inspect the premises and to determine the existence of the condition. This act or omission constitutes a breach of duty by Defendant and constitutes negligence on the part of the Defendant.
- As a direct and proximate result of the negligence and wrongful acts of the Defendant, Plaintiff has sustained serious and painful injury which is permanent in nature and which has caused her to incur great medical expense.
- As a direct and proximate result of the negligence and wrongful acts of the Defendant, Plaintiff has suffered a loss of earning capacity, a loss of enjoyment of life, and

has suffered great pain, of both the body and mind, for all of which this Defendant is liable.

- The aforesaid acts of negligence were the cause in fact and the proximate cause of Plaintiff's injury and were without any fault on the part of the Plaintiff's
- 23. Plaintiff Cecil Lewis has lost the companionship and services of Plaintiff Esteleane Lewis as a direct and proximate result of Defendant's actions.

WHEREFORE, PREMISES CONSIDERED Plaintiffs pray that:

- Plaintiff Esteleane Lewis be awarded a judgment in an amount in excess of \$1,000,000 00 against Defendant for all compensatory damages to which she is shown to be entitled at a trial of this cause
- 2. Plaintiff Estelene Lewis be awarded a judgment against Defendant for all punitive and exemplary damages to which he is shown to be entitled at a trial of this cause arising from Defendant's gross negligence.
- Plaintiff Cecil Lewis be awarded a judgment in an amount in excess of \$250,000.00 against Defendant for all loss of consortium damages to which he is shown to be entitled at a trial of this cause.
 - 4. Plaintiffs be entitled to the cost of this suit.

5 Plaintiffs be awarded to such other and further relief as the Court may deem just and equitable.

Respectfully submitted,

Charles M. Bates

Sup. Ct. No. 020609

203 West Gaines Street

P.O. Box 494

Lawrenceburg, Tennessee 38464

(931) 762-3939

Attorneys for Plaintiffs

I AM SURETY FOR COSTS.

Charles M. Bates, Attorney at Law